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UNCLAS ABU DHABI 03297

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RUEHAE/AMEMBASSY ASMARA 0060
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RUEHKH/AMEMBASSY KHARTOUM 0025
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UNCLAS SECTION 01 OF 04 ABU DHABI 003297

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TAGS: [PHUM](#) [ELAB](#) [ETRD](#) [KJAN](#) [TC](#)
SUBJECT: UAE TIP ACTION PLAN UPDATE: PROSECUTIONS

REF: A. STATE 99833

[1](#)B. ABU DHABI 3194
[1](#)C. DUBAI 3469

[1](#)1. Summary: With one week to go before the end of the 60-day TIP action plan assessment period, the UAE continues to make progress in addressing the suggested steps in the action plan (ref A). The UAEG has provided data on 19 investigations and prosecutions of persons of different nationalities responsible for human trafficking, and we are expecting more such data in the coming days. The number of underage camel jockeys identified has risen to 630, and the number of boys who have been repatriated to source countries has increased from 111 to 169. We are also learning for the first time that Dubai authorities have shut down 39 hotels and a number of massage parlors and night clubs as part of their efforts to end the exploitation of women. The UAEG also informed us that authorities monitor the problem of domestic worker abuse and the courts hand out stiff sentences to those accused of abuse. The local press continues to run stories almost daily about the government's actions to protect workers from employers who do not live up to their responsibilities.

[1](#)2. Summary continued: The following is a review of progress made since our July 19 update on the mini-action plan (ref B), keyed to the six points in the action plan. It is based on information provided to us by the UAEG. We are continuing to encourage additional progress from our UAEG interlocutors

on a daily basis. End Summary.

NATIONAL COORDINATOR

Action Plan Recommendation: Appoint a national coordinator with sufficient authority to oversee the implementation of this mini-action plan.

UAEG Response: Completed (see ref A).

IDENTIFICATION AND PROTECTION FOR CAMEL JOCKEYS

Action Plan Recommendation: Identify and provide protection, within the U.A.E., for at least 700 foreign child camel jockeys that are trapped in exploitation and begin providing them with appropriate rehabilitation, repatriation, and reintegration services. The number of victims identified and protected at government-provided shelters or elsewhere will be verified by the International Organization for Migration or UNICEF.

UAEG Response:

NEW DEVELOPMENT: 630 BOYS HAVE NOW BEEN IDENTIFIED (SEE BELOW).

(Note: On May 8, 2005, the UAE Ministry of Interior and UNICEF signed a project agreement for identifying, rescuing, rehabilitating and reintegrating up to 3,000 children estimated to be in the UAE working in the camel jockey industry. Since June 2, the UAE has established three shelters in Abu Dhabi for housing and rehabilitating children rescued from camel farms. While at the shelters, the children receive health, psychological, and social care in order to prepare them for repatriation, according to information provided by the UAEG.)

-- According to UAEG statistics through July 24, 630 boys have been identified in the camel jockey industry. Repatriation formalities of 318 cases have been finalized under UNICEF supervision and in conjunction with source country embassies. (Note: The UAEG says that 169 children have been repatriated already, and that this was done "after ensuring that the children have received their compensation due from the date of their arrival in UAE up to the date of their departure." End note) A breakdown by nationality of those in the repatriation pipeline shows that 215 are from Pakistan, 47 from Bangladesh, 40 from Sudan, 13 from Mauritania, and 3 from Eritrea. In addition, there are 312 boys in the three shelters. The nationality breakdown for those boys is as follows: 144 from Pakistan, 108 from Bangladesh, 65 from Sudan, and 4 from Eritrea.

-- The Ministry of Interior has directed Infiltration Control departments to raid places suspected of hiding children employed as camel jockeys. This is done in conjunction with investigation and follow-up sections in Immigration Departments.

-- The Ministry of Interior has introduced a new Follow-Up Section to monitor camel racing events. It reports directly to the Under Secretary of the Ministry.

INVESTIGATION AND PROSECUTION

Action Plan Recommendation: Investigate and begin prosecuting at least 10 persons responsible for the trafficking, abuse, and exploitation of trafficked children in the camel racing industry. Investigate and commence prosecution of at least 5 cases involving the trafficking of women for sexual exploitation. Investigate and commence prosecuting at least 5 cases of abuse of foreign domestic workers and laborers. Persons convicted should receive sufficient penalties reflecting the heinous nature of trafficking crimes. All investigations and prosecutions should be conducted with due

regard to individual human rights.

UAEG Response:

NEW DEVELOPMENT: INVESTIGATIONS AND PROSECUTIONS, INCLUDING 5 FOR TRAFFICKING CAMEL JOCKEYS, 9 FOR TRAFFICKING IN WOMEN, AND 5 FOR ABUSES AGAINST DOMESTIC WORKERS; CLOSURE OF 39 HOTELS; REPATRIATION OF TAJIK WOMEN. (SEE BELOW)

(Note: On July 5, President Khalifa issued a federal law that prohibits persons below age 18 from either sex from participating in camel races, and subjects traffickers to jail sentences not exceeding three years, and/or fines of not less than 50,000 Dirhams, or \$13,500. In the case of repeat offenders, the penalties will be doubled. The law took effect upon signature.)

-- The UAEG has provided us with evidence of 5 cases of trafficking of underage camel jockeys that are being investigated. All the cases are in Al Ain jurisdiction in the Emirate of Abu Dhabi. A chart provides the case numbers, names of the accused, names and nationalities of victims, type of accusation, and status of investigation.

-- The UAEG has provided us with evidence of 9 cases of trafficking in women, including three cases in Sharjah court and six in Ajman court. A chart provides the case numbers, names of the accused, type of accusation, and sentence. The accusations include "directing a prostitution house," "exploitation of prostitution," and forcing women into prostitution. Most of the cases resulted in jail sentences and deportation, but one sentence was for a 3-year jail sentence and 90 slashes with a whip. (Note: The trafficking case reported in ref C was not reflected in the chart provided to us by the UAEG. The Dubai Criminal Court is prosecuting a "gang" consisting of five men and one woman on charges of forcing an Indian woman into prostitution. We will report septel any additional trafficking-related prosecutions from Dubai after the Consul General's July 31 meeting with the Dubai Attorney General. End note.)

-- The UAEG has provided us with evidence of 5 cases of abuses against domestic workers, including four from Al Ain court in Abu Dhabi Emirate, and one from Al Ain religious court. A chart provides the case numbers, names of the accused, names and nationalities of victims, types of accusations, and sentence. Four of the cases involved rape, two involved alcohol, and one involved "disgrace by force." In all cases the sentences handed down involved jail. The case from the Al Ain religious court included both a life sentence and financial compensation to the victim, while one of the other cases included both a life sentence and 60 whips for alcohol consumption.

-- The UAEG also informed us that 39 hotels were closed in Dubai in addition to a number of night clubs and massage parlors, in 2004 and 2005. Tourist bureaus that provided tourist visas with the motive of exploiting women were also closed.

-- The UAEG noted its cooperation with Tajik authorities to repatriate trafficking victims to Tajikistan. The Tajik women had entered the UAE with forged passports and had misrepresented themselves, according to the UAEG.

MECHANISM FOR IDENTIFICATION AND PROTECTION OF VICTIMS

Action Plan Recommendation: Develop and implement a formal mechanism for the systematic identification and protection of trafficking victims, including women in sexual servitude and women and men trafficked as domestic workers and laborers. Expand the availability of hotlines for foreign workers to report instances of abuse and to seek assistance.

UAEG Response:

NEW DEVELOPMENT: POLICE TRAINING CONFIRMED. (SEE BELOW)

-- The UAE Government is developing several systems for the identification and protection of trafficking victims. Several seminars have been organized by the Officers' Training Institute in conjunction with the Police Research and Studies Center to educate police officers about how to follow up trafficking crimes, in addition to training courses on how to detect trafficking crimes.

-- Special courses have been organized for prosecution staff, judges, and other authorities. The courses will cover investigations, combating trafficking, and identifying trafficking victims.

ESTABLISHING SHELTERS; FORMAL PROTECTION

Action Plan Recommendation: Establish shelters in Abu Dhabi and Dubai for trafficking victims, particularly for abused domestic workers, women forced into sexual servitude, and male laborers, where such victims can receive protection, including counseling, medical, physiological, and other appropriate rehabilitation assistance regardless of their immigration status. Articulate how the U.A.E. government will extend formal protection to domestic workers and other laborers, currently without any protection outside of their employment contracts.

UAEG Response:

NEW DEVELOPMENT: CONFIRMATION FROM UAEG THAT PROTECTION OF DOMESTIC WORKERS EXISTS. (SEE BELOW)

-- The contract signed between domestic staff and the employer is a civil contract which falls under civil obligations law. However, there are some procedures which fall under immigration law.

-- The Coordination and Follow-Up sections within the Naturalization and Residence Department look into complaints submitted by domestic workers in order to sort them out. If they fail to settle the matter then they refer it to the court.

-- In all cases the domestic worker before his/her final departure signs a special form in the presence of an authorized official stating that he/she has received all financial dues and that he/she does not owe the employer anything.

-- With respect to assault and abuse of domestic workers, the cases are investigated then referred to the court. Some of the cases receive severe punishments) up to life imprisonment.

PUBLIC AWARENESS CAMPAIGN

Action Plan Recommendation: Conduct broad public awareness campaigns highlighting the rights and obligations of domestic workers and laborers, and the consequence of abusing such workers.

UAEG Response:

There continues to be a steady stream of newspaper articles in the major daily papers intended to raise public awareness about working conditions and workers' rights:

-- "Gulf News" July 26: The Ministry of Labor has temporarily suspended any transaction it has with 97 different companies that failed to observe the new mid-day break rule. The Ministry plans to begin imposing fines in August. Companies that violate the rule face fines of \$2,700 and suspension of transactions with the Ministry.

-- "Khaleej Times" July 26: The Ministry of Labor announced that absconding laborers would be jailed for at least 30 days

before being deported. Companies employing such workers illegally would be financially liable for each day the worker spends in jail, would be fined \$2,700 and blacklisted for employing workers without valid visas.

-- "Khaleej Times" July 27: The Ministry of Labor will summon the manager of a cleaning company to investigate the case of 9 Sri Lankan women who filed a complaint over non-payment of salaries. The women were fired for expressing dissatisfaction over harsh working conditions.

-- "Khaleej Times" July 26: The Director of Dubai Naturalization and Residency announced a shelter for maids who abscond from their sponsors because of ill treatment.

-- "Gulf News" July 20: The Dubai Economic Council Affairs suggested that a center be established to provide shelter to housemaids who have had disputes with their sponsors. It also proposed the creation of a security fund for the labor force.

-- "Khaleej Times" July 25: New employers will have to bear the cost of transferring the visas of employees who change sponsors. The Ministry of Labor warned that employers who force the employee to pay the visa transfer fee will be subject to penalties. Workers are still required to obtain a "no objection" certificate from their former sponsor before changing sponsors.

-- "Khaleej Times" July 20: The Ministry of Labor will launch a new system for registering the labor force from the GCC working in the private sector to ensure they receive social security benefits from the UAEG.

COMMENT:

13. The UAEG has provided long-awaited evidence that it is investigating and prosecuting cases involving human trafficking, one of the key suggestions in the mini-action plan. We will report via July 31 septel on Dubai investigations and prosecutions, any updated camel jockey data, and additional public outreach activities, including public statements about workers' rights and responsibilities.

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